



Docket No: AM100986
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ronald Charles Bernotas et al.
Application No.: 10/621,698 Group No.: 1625
Filed: July 17, 2003 Examiner: Chang, Celia C
For: 1-HETEROCYCLYLALKYL-3-SULFONYLINDOLE OR -INDAZOLE
DERIVATIVES AS 5-HYDROXYTRYPTAMINE-6 LIGANDS
Confirmation No.: 1509
Customer Number: 25291

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT

In response to the office action dated May 6, 2005, please consider the following remarks.

REMARKS

The present invention provides 1-heterocyclalkyl-3-sulfonylindole derivatives of formula I and the therapeutic use thereof for the treatment of central nervous system disorders related to or affected by the 5-hydroxytryptamine-6 receptor.

Claims 1-8 and 15-20 are pending.

Claims 1-8 and 15-20 have been rejected under the judicially created doctrine of obviousness type double patenting over claims 1-9 and 15-19 of US 6,272,246.

While not implying any agreement with Examiner's rejection, Applicants submit herewith a Terminal Disclaimer over US 6,272,246. Applicants believe the enclosed Terminal Disclaimer overcomes the double patenting rejection.

CERTIFICATE OF MAILING 37 CFR §1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV100496429US addressed to the Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

July 29, 2005
Date

Karolina Piorek
Karolina Piorek